

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Tetsuyoshi NAKATA et al.

Serial No.: 10/553,258

Date Filed: October 11, 2005

For: IMAGE FORMING APPARATUS

30 Rockefeller Plaza, 20th Floor
New York, N.Y. 10112
(212) 278-0400

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. §1.97(b)(3). To the best of Applicants' knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action on the merits in connection with this application.

Alternatively, Applicant requests consideration of this Information Disclosure Statement under 37 C.F.R. §1.97(c)(1). The references listed in the annexed Form PTO-1449 were cited in a December 24, 2008 official action in connection with a counterpart Japanese patent application.

A copy of the December 24, 2008 Japanese official action is also enclosed herewith. Each reference listed in the Form PTO-1449 annexed to this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Other references (JP6-293163, JP2000-141818, JP2003-066667, and JP6-305221) cited in the Japanese official action were submitted with the Information Disclosure Statement filed on October 14, 2008 and therefore are not being listed on the Form PTO-1449 annexed hereto.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

According to the August 5, 2003 OG Notice published by the Patent and Trademark Office, the Patent Office has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for

submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international application that have entered the national stage under 35 U.S.C. §371 after June 30, 2003.

Accordingly, copies are submitted herewith for only references listed on the annexed Form PTO-1449 that are not a U.S. patent or U.S. patent application publication.

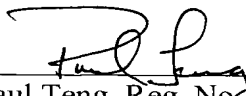
The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 03-3125.

Respectfully submitted,

Date: February 5, 2009



Paul Teng, Reg. No. 40,837
Attorney for Applicants
Cooper & Dunham LLP
(212) 278-0400